

REMARKS

This Amendment responds to the Office Action dated October 15, 2004.

The Examiner objected to the specification, requiring that the term “identify” on page 9, line 23 be changed to “identity”. The specification has been amended accordingly.

The Examiner rejected claims 1, 3-12, and 18-22 under 35 U.S.C. § 102(e) as being anticipated by Fanning et al., U.S. Patent No. 6,366,907. That reference merely discloses an Internet-based peer-to-peer search service facilitated by a central server. *See* Fanning at col. 1 line 41-43. In contrast, the present invention pertains to a system that searches for, and retrieves, an object on a device within an ad-hoc network where neither Internet addresses and similar protocols, nor a dedicated central Internet server with a search engine are available to facilitate such search and retrieval. Specifically, independent claim 1, as amended, claims a “method of transferring an object from a source device to a destination device over an ad hoc network comprising at least one piconet, said method comprising the steps of: (a) discovering a data processing device communicating with said destination device over said a communication channel of said ad hoc network.” The search method of Fanning does not disclose these limitations, and in fact will not work within the claimed “ad hoc network comprising one or more piconets” where standard Internet protocols may not be available. *See, e.g.* Fanning at col. 7 lines 4-13 (stating that each search response from a provider server to a real time search engine includes an IP address and an Internet connection bandwidth). Therefore independent claim 1, along with its dependent claims 3-12 distinguish over Fanning.

Dependent claims 18-22 depend from independent claim 17, therefore include all the limitations of claim 17. Independent claim 17 was not rejected by the Examiner under 35

U.S.C. § 102 as being anticipated by Fanning, therefore the Examiner's rejection of claims 18-22 is improper. Moreover, the applicant notes that independent claim 17, as amended, distinguishes over Fanning for the same reasons discussed with respect to independent claim 1.

The Examiner rejected claims 2, 17, 25, and 26 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Fanning and the Bluetooth specification. With respect to claims 2 and 17, The Examiner contends that Fanning discloses all limitations of these claims except those relating to specified steps regarding paging. Independent claims 1 and 17 (and therefore dependent claims 25 and 26) however, include the limitations previously discussed that are not disclosed by Fanning. Moreover, Fanning discloses a peer-to-peer system where server-providers log onto a search engine at the direction of a user using a login/password procedure, for example. *See* Fanning at col. 4, lines 64-67. Thus, the system disclosed by Fanning has no need for the claimed paging procedures. Because there is no motive to combine these references, the Examiner's rejection is improper. Also with respect to claims 17, 25, and 26, neither Fanning nor the Bluetooth specification disclose the step of "identifying a portion of said object not transferred."

The Examiner rejected claims 13 and 14 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Fanning and Kazaa. Similarly, the Examiner rejected claims 15 and 16 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Fanning, Kazaa, and Fielding et al. Each of these rejected claims depends from independent claim 1, which claims a method for searching for and retrieving an object over an ad-hoc network having at least one piconet. The respective combinations cited by the Examiner do not disclose these claimed methods.

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The Examiner rejected claims 23 and 24 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Fanning, the Bluetooth specification, and Kazaa. Each of these rejected claims depends from independent claim 17, which claims a method for searching for and retrieving an object over an ad-hoc network having at least one piconet. The respective combinations cited by the Examiner do not disclose these claimed methods.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-26.

Respectfully submitted,



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